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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No.: 06-0645 WHA
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	<u>ORDER EXCLUDING TIME</u>
v.	)	
	)	
GONZALO LOPEZ-HERNANDEZ,	)	
	)	
Defendant.	)	

On October 31, 2006, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from October 31, 2006 to November 14, 2006 for effective preparation of counsel, in that defense counsel required adequate time to assess and discuss with Defendant Gonzalo Lopez-Hernandez additional information relevant to whether there will be a change of plea in this case. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of both defense counsel and the United States, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice

served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

DATED: 10/31/06

/S/ Julie A. Arbuckle  
JULIE A. ARBUCKLE  
Assistant United States Attorney

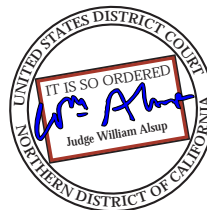
DATED: 10/31/06

/S/ Elizabeth Falk  
ELIZABETH FALK  
Attorney for Defendant Gonzalo  
Lopez-Hernandez

As the Court found on October 31, 2006, and for the reasons stated above, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act calculations from October 31, 2006 to November 14, 2006 for effective preparation of defense counsel and the United States. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: November 6, 2006



William H. Alsup  
United States District Judge